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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,712	01/24/2001	Kazuhiro Iwabuchi	81922.0005	3683

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EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/31/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

37

Office Action Summary

Application No.
09/768,712

Applicant(s)
Iwabuchi et al.

Examiner
Naghmeh Mehrpour

Art Unit
2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5-9 6) ☐ Other:

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Priority

1. Receipt is acknowledged of papers submitted under 35 U.S. C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement filed reference listed in the information Disclosure submitted on 4/8/02, 7/17/02, 11/07/02, 12/16/02, 5/19/03 have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-6**, are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (US Patent Number 6,466,292).

Regarding **claims 1, 2, 6**, Kim teaches a portable radio communication apparatus (see figures 5 & 6) which has a sound input device for inputting sound, a sound output device for outputting sound, an input device for inputting various signals, and a communication device for

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communicating various communication data such as audio data, text data, and image data, the portable radio communication apparatus including:

a first case 230,

a second case 210 which is rotatably connected to the first case 230 and which can be in open and closed positions with respect to the first case 230,

a first display 200a which is exposed when the second case 210 is in the open position,

a second display 200b which is exposed whether the second case is in the open or closed position (col 5 lines 44-54),

a first illuminator 24a which illuminates the first display 200a/24a (see figure 2),

a second illuminator 24b which illuminates the second display 200b (see figure 2),

an electric power supply switch which can switch between lines to supply electric power for illumination to the first illuminator and the second illuminator,

an open/closed position detector which detects whether the second case 210 is in the open or closed position (col 6 lines 14-36, lines 45-50), and

a controller 140 which controls the electric power supply switch (col 6 lines 45-66), with reference R to what the open/closed position detector 220 has detected (col 5 lines 45-55), to supply electric power to the first illuminator when the second case 210 is in the open position (col 5 lines 54-67, col 6 lines 1-7, lines 25-28), and to supply electric power to the second illuminator 190 when the second case 210 is in the closed position (col 6 lines 32-36), and

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wherein the first display 200a/26a and the second display 200b/26b are constituted by a unitary display device which can display on both a front side and a back side (col 5 lines 29-36).

Regarding **claims 3, 6**, Kim teaches a portable communication apparatus wherein the display device is provided in either the first case 230 or the second case 210, and the first case 230 or the second case 210, in which the display device is provided has a window for the first display 200a in the inner face of 210 and has a provided window for the second display 200b in the outer face (see figures 5&6, col 5 lines 50-54, col 6 lines 45-66).

Regarding **claim 4**, Kim teaches portable radio communication apparatus portable radio communication apparatus 100 wherein the display device has a first reflective plate on the opposite side to the window for the first display 200a and has a second reflective plate on the opposite side to the window for the second display 200b (col 5 lines 6-25).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Antila et al. (US Patent 6,583,770 B1) disclose dual display arrangement and a terminal device

Sirola et al. (US Patent 6,415,138 B2) disclose wireless communication device and a method of manufacturing a wireless communication device

Mack II et al. (US Patent Number 6,510,325 B1) disclose convertible portable telephone

6. **Any responses to this action should be mailed to:**

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications indented for entry)

Or:

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

NM

July 18, 2003

Marsha D. Banks-Harold
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